

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)  
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)  
U.S. Department of Interior  
Bureau of Land Management**

**PART I. – PROPOSED ACTION**

**BLM Office:** Tucson Field Office

**NEPA No.:** G020-2014-0016-CX

**Case File No.:** AZA-036518

**Proposed Action Title/Type:** CX

**Applicant:** Department of Commerce/National Oceanic and Atmospheric Administration (NOAA)

**Location of Proposed Action:** Las Cienegas National Conservation Area, Audubon-Appleton Whittell Research Ranch

**Description of Proposed Action:** On February 3, 2014, the Department of Commerce/National Oceanic and Atmospheric Administration's U.S. Climate Reference Network (USCRN) filed an application for a grant in support of NOAA's U.S. Climate Reference Network. This grant will allow the establishment of a data collecting Climate Monitoring Station. The station is already installed and is located near the Audubon Appleton-Whittell Research Ranch. The applicant had previously acquired a permit for the station from the Audubon Society, installed the station, and consequently discovered that the site was actually on Bureau of Land Management land.

A 60 foot by 60 foot parcel of land (3,600 square feet) is being utilized for a meteorological monitoring site, part of a national network for detecting regional climate signals. The site includes three small structures: meteorological instrumentation installed on a 20 foot tall tower containing a GOES antenna and data logger; precipitation instrumentation mounted on a base; and a power system to support the station. The power system for the area utilizes AC power.

No land grading is necessary. The land parcel should be maintained and preserved at a level indicative of the time at which it was selected for the USCRN site. Construction has been completed and was conducted in 2 phases: first phase established the site and installation of the foundations for the instrument tower, precipitation bucket, and power system. The second phase provided installation of the instruments. This site will be a continuous monitoring site.

NOAA or NOAA contractors will have access to the site for routine maintenance, repair, removal, or replacement of NOAA equipment. NOAA will access the site at least once per year for annual maintenance and calibration, and other visits as necessary. NOAA requests this agreement for 20 continuous years. This agreement can, and is expected to be renewed after this term.

The proposed action qualifies as a CX under Departmental Manual 516, 11.9, Appendix 4 E.16 that reads, "Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes."

A cultural resource compliance clearance survey was completed on June 3, 2014, which included a Class I Records search. No archaeological, historical or paleontological remains were found to exist in the area. A wildlife survey was done by the wildlife staff and no T&E species were encountered. An active & authorized record search was done. There are no active mining claims or grazing leases in the renewal area. The grant will be issued for a twenty year term with the right of renewal.

## **Part II. – PLAN CONFORMANCE REVIEW**

**This proposed action is subject to the following land use plan(s):** Las Cienegas Resource Management Plan and Record of Decision

**Decisions and page nos.:** Page 16: "Bureau of Land Management will continue to consider other new land use authorizations including non-major lineal utilities on a case-by-case basis with stipulations attached to any permits or leases to ensure consistency with the plan's goals and objectives."

**Date plan approved/amended:** July 2003

This proposed action has been reviewed for conformance with these plans (*43 CFR 1610.5-3, BLM Manual 1601.04.C.2*).

## **PART III. – NEPA COMPLIANCE DETERMINATION REVIEW**

**A. The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 [Appendix 4 E.16] Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes.;**

**And**

**B. Extraordinary Circumstances Review:** In accordance with **43 CFR 46.215**, any action that is normally categorically excluded must be subjected to sufficient environmental review to determine if it meets any of the 12 Extraordinary Circumstances described. If any circumstance applies to the action or project, and existing NEPA documentation does not adequately address it, then further NEPA analysis is required.

**IMPORTANT:** Appropriate staff should review the circumstances listed in Part IV, comment and initial for concurrence. Rationale supporting the concurrence should be included in the appropriate block.

**Part IV. – EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION**

PREPARERS:

DATE:

TFO NEPA Team Members	4/14/2014
Leslie Uhr - GIS Specialist/ Trainee Realty Specialist	6/1/14
Amy Sobiech - Archaeologist	6/3/14
Heather Swanson - Natural Resource Specialist	6/3/14
Linda Dunlavey - Realty Specialist	6/1/14

/s/ Amy Markstein  
PLANNING & ENVIRONMENTAL SPECIALIST

06/05/2014  
DATE

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(l)) apply. The project would:

(a) Have significant impacts on public health or safety.

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> No significant environmental effects are expected to result from this project.
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Preparer's Initials lau

(b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

<b>Yes</b>	<b>No</b>  <b>X</b>	<b>Rationale:</b> No such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments;; and other ecologically significant or critical areas exist in the affected environment nor would any of these resources be impacted. There are no occurrences of BLM sensitive or State listed species within the project area.
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(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

<b>Yes</b>	<b>No</b>  <b>X</b>	<b>Rationale:</b> No such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments;; and other ecologically significant or critical areas exist in the affected environment nor would any of these resources be impacted. There are no occurrences of BLM sensitive or State listed species within the project area.
Preparer's Initials <u>lau</u>		

(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

<b>Yes</b>	<b>No</b>  <b>X</b>	<b>Rationale:</b> No significant environmental effects are expected to result from this project.
Preparer's Initials <u>lau</u>		

(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
Yes	No <b>X</b>	<b>Rationale:</b> Future actions regarding this project, if any, would require processing in accordance with laws, regulations, and policy.  <div style="text-align: right;">Preparer's Initials <u>  lau  </u></div>
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No <b>X</b>	<b>Rationale:</b> The effects of the proposed grant would be limited to the existing grant.  <div style="text-align: right;">Preparer's Initials <u>  lau  </u></div>
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
Yes	No <b>X</b>	<b>Rationale:</b> No properties listed, or eligible for listing, on the National Register of Historic Places are within the project area nor would any properties be affected by the proposed grant.  <div style="text-align: right;">Preparer's Initials <u>  lau  </u></div>
(h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
Yes	No <b>X</b>	<b>Rationale:</b> There would be no effect to any T&E species or designated critical habitat as none are found within the proposed action area. There is no suitable T&E species habitat within the project area.  <div style="text-align: right;">Preparer's Initials <u>  lau  </u></div>
(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No <b>X</b>	<b>Rationale:</b> No laws or requirements imposed for the protection of the environment would be violated.  <div style="text-align: right;">Preparer's Initials <u>  lau  </u></div>

(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
<b>Yes</b>	<b>No</b>  <input checked="" type="checkbox"/>	<b>Rationale:</b> The effects to the population as a whole resulting from the proposed action would be the same.   <div style="text-align: right;">Preparer's Initials <u>  lau  </u></div>
(k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
<b>Yes</b>	<b>No</b>  <input checked="" type="checkbox"/>	<b>Rationale:</b> No limitations to access sacred or any other sites would result from the proposed action.   <div style="text-align: right;">Preparer's Initials <u>  lau  </u></div>
(l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		
<b>Yes</b>	<b>No</b>  <input checked="" type="checkbox"/>	<b>Rationale:</b> A term and condition of the grant is to require all vegetative matter and soil be removed from all equipment prior to mobilizing on site.   <div style="text-align: right;">Preparer's Initials <u>  lau  </u></div>
<b>PART V. –COMPLIANCE REVIEW CONCLUSION</b> I have reviewed this plan conformance and NEPA compliance record, and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required.  <b>MITIGATION MEASURES/OTHER REMARKS:</b> See Attached Stipulations.  <div style="display: flex; justify-content: space-between;"> <span>/s/ Karen Simms, Acting Tucson Field Office Manager</span> <span>06/23/2014</span> </div>   <div style="display: flex; justify-content: space-between;"> <span>APPROVING OFFICIAL: _____</span> <span>DATE: _____</span> </div> <div style="display: flex; justify-content: space-between;"> <span>TITLE: _____</span> </div>		

Note: The signed conclusion on this compliance record is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. A separate decision to implement the action should be prepared in accordance with program specific guidance.